



**City Council
Pre-Agenda Meeting
Tuesday
April 11, 2006
4:00 p.m.**

The regularly scheduled Pre-Agenda Meeting of the Trinity City Council was held on Tuesday, April 11, 2006 at Trinity City Hall, 6701 NC Highway 62, Trinity, NC 27370.

MEMBERS PRESENT: Mayor, Fran Andrews; Council members Karen Bridges, Phil Brown, Barry Lambeth, Bob Labonte (arrived at 4:08), Dwight Meredith, Edith Reddick, and Miles Talbert.

MEMBERS ABSENT: Barbara Ewings

OTHERS PRESENT: City Manager Ann Bailie; City Attorney, Allen Pugh; City Planning/Zoning Code Enforcement Administrator, Adam Stumb; City Clerk/Finance Officer, Debbie Hinson; and other interested parties.

ITEM 1. Welcome

Mayor Andrews called the April 11, 2006 Regular Pre-Agenda Meeting of the Trinity City Council to order at 4:02 pm and welcomed everyone present.

ITEM II. Invocation

The invocation was given by Council member Lambeth.

At this time Mayor Andrews asked that Council amend the Agenda to included Item 16A – Bids for Audit Services.

Motion by Council member Talbert to add Item 16- A Bids for Audit Services, seconded by Council member Bridges and approved unanimously by all Council members present.

ITEM III. Trinity at the Crossroads – Doing it Right the First Time (Eddie Causey, Archdale Council Member)

Manager Bailie discussed Council's prior conversations on this item. This is our initiative to look at what is going on in Trinity with growth and development and try to make decisions concerning what we would like for Trinity to look like as this growth and development takes place. Today's topic on this issue will be presented by Mr. Eddie Causey, City of Archdale Council member and former Planning/Zoning Board member for Archdale.

Mr. Causey shared some of his thoughts on things that he had gained from his experience of 15 years on the Planning Board prior to becoming a Council member. He discussed with Council the amount of development he had seen during these years and how he and others are now looking at the results of that development.

Mr. Causey shared the following ideas with Council:

1. You must decide what you want to be. This goes along with Planning/Zoning and Council being in agreement and sharing a vision. Mr. Causey discussed the Overlay District implemented in Archdale that set standards for development in the City of Archdale along Main Street. He discussed complaints concerning how restricting standards such as listed in the Overlay would keep out development; however the Carolina Diner came to the City of Archdale in a different format than they originally proposed to us. Our Overlay stipulates out parcel buildings in our shopping center must look like the buildings in shopping center and they conformed to these standards.
2. Keep focused on what you want and the big picture.

3. When you decide what you want and how you want to do it don't make it so it can't be enforced. Always make sure it can be enforced and think about your staff and the obstacles that you could create for them.
4. Every time you vote on something if it is a mistake you will get to look at it for 20 years. Mr. Causey discussed with Council the importance to stayed focus.

Manager Bailie discussed with Mr. Causey Traditional Neighborhood Development and what prompted Archdale to consider the addition of this type of development in their Ordinance. Mr. Causey discussed trips made to Chapel Hill and Cary to look at neighborhoods. Mr. Causey discussed the emphasis that had been placed on making the streets more narrow and providing services in the back in Traditional Neighborhood Development. After visiting these and other areas like them we decided we wanted to allow this type of development as well. The City of Archdale has added this designation to our Zoning and in our new Land Use Map as well.

There was discussion between Council members and Mr. Causey concerning sidewalk requirements within the City of Archdale as well as how the requirements for these and Overlay Standards may have impeded development. Mr. Causey shared with Council what he believed were the requirements by asking that staff contact Mr. Jeff Wells, Planner for the City of Archdale to confirm requirements and specifics for sidewalks within the City of Archdale. He advised Council members that Archdale did require a lot of sidewalks and had received criticism for requiring sidewalks for business as well. He discussed how this requirement created some sidewalks that were not connected, but in newer developments and areas we are now seeing some of the unconnected portions of these sidewalks being connected. Mr. Causey discussed profit margin for the developers and the fact that more stringent building standards affected this for the developers. The developers are there to make a profit but in Archdale they have to do it a higher level to make a higher investment. Mr. Causey advised Council members the key was not to surprise the developers and to let them know what you want when they come to develop in your city. Attorney Pugh and Mr. Causey discussed mechanics or procedures that the City of Archdale may have in place that would allow the developer and adjoining property owners to get together and discuss differences in an effort to work out such differences prior to the meeting and Public Hearing. Mr. Causey advised Attorney Pugh and Council members that most of the plans in Archdale are reviewed by a technical review committee. They try to address and work out difficulties by it does not always happen. In this type of situation you try to treat everyone fairly and equitably and consider all items presented in an effort not to surprise anyone.

Mr. Pugh discussed the Neighborhood Meeting that had been implemented by the County. This is a 2 hour meeting that is held on an informal basis that had helped create positive and corporative efforts prior to the issue being presented to the Planning Board.

Manager Bailie discussed with Council the packet of information that was placed at their seats that also included information from the trip taken last week. It includes information from Davidson, North Carolina as well as information on Traditional Neighborhood Developments. Manager Bailie also discussed the news article featured in the Sunday publishing of the News and Record concerning Greensboro and their efforts to become a more hikeable and bikeable city, their 25 year plan that includes 330 miles of trails and greenways, and reasons why people don't walk that include lack of sidewalks, sidewalks that are too narrow, walking surfaces poorly built and poorly maintained. Manager Bailie discussed the reasons that communities were looking at sidewalks and if Trinity does not consider this and act upon it our City will become a less desirable than the communities that are requiring sidewalks be installed. As discussed earlier by Mr. Causey, the actions that the City takes now will determine the future of Trinity. Mayor Andrews discussed the sidewalks that were installed by the City of High Point on South Main in an effort to make them a more walkable City.

ITEM IV. Closed Session Pursuant to NCGS 143-318.11 (a) (4) to discuss matters relating to the location or expansion of industries or other businesses in the area. (Bonnie Renfro, President, Randolph County Economic Development Corporation)

Mayor Andrews called for a motion to go into Closed Session Pursuant to NCGS 143-318.11 (a) (4) to discuss matters relating to the location or expansion of industries or other businesses in the area. (Bonnie Renfro, President, Randolph County Economic Development Corporation)

Motion by Council member Brown to go into Closed Session for the purpose of discussion Economic Development pursuant to NCGS 143-318.11 (a) (4), seconded by Council member Talbert and approved unanimously by all Council members present.

After discussion in Closed Session, Council member Meredith made a motion to return to Open Session, seconded by Council member Bridges, and approved unanimously by all Council members present.

No action was taken in Closed Session.

After a brief discussion, Mayor Andrews called for a motion to add Closed Session Pursuant to NCGS 143-318.11 (a) (4) to discuss matters relating to the Economic Development to the April 18, 2006 Regular Meeting Agenda.

Motion to Add Closed Session Pursuant to NCGS 143-318.11 (a) (4) to discuss matters relating to the Economic Development to the April 18, 2006 Regular Meeting Agenda by Council member Lambeth, seconded by Council member Bridges and approved unanimously by all Council members present.

V. Proposed items for the April 18, 2006 Regular Meeting of the Trinity City Council

Mayor Andrews called for discussion and or motion to add these items to the April 18, 2006 Regular Meeting Agenda.

Review and Approval of Minutes

- 1. March 14, 2006 Pre-agenda Meeting**
- 2. March 21, 2006 Regular City Council Meeting**

Motion to add the above items to the April 18, 2006 Regular City Council Meeting by Council member Reddick, seconded by Council member Talbert and approved unanimously by all Council members present.

Proclamations

3. Municipal Clerks Week (April 30 – May 6, 2006)

Mayor Andrews called for discussion and or motion to add this item to the April 18, 2006 Regular Meeting Agenda

Motion to add the above items to the April 18, 2006 Regular City Council Meeting by Council member Reddick, seconded by Council member Brown and approved unanimously by all Council members present.

Reports

4. Report and funding request for Piedmont Triad Partnership (Don Kirkman, President & CEO)

Mayor Andrews called for discussion and or motion to add this item to the April 18, 2006 Regular Meeting Agenda

Motion to add the above item to the April 18, 2006 Regular City Council Meeting by Council member Bridges , seconded by Council member Labonte, and approved unanimously by all Council members present..

After the motion, Manager Bailie advised Council that Mr. Don Kirkman would be attending the meeting to discuss this item. The recommendation from our finance officer for this request is \$500.00 and represents the same amount that the City gave to this organization last year.

5. Wastewater Projects Update (Randy McNeill, Davis-Martin-Powell & Assoc.)

Mayor Andrews called for discussion and or motion to add this item to the April 18, 2006 Regular Meeting Agenda

Motion to add the above item to the April 18, 2006 Regular City Council Meeting by Council member Reddick, seconded by Council member Lambeth , and approved unanimously by all Council members present.

Public Hearings

6. Special Use Request #SPU06-01, for a fire station at Welborn Rd further identified as Randolph County tax parcel 6797501259. The property is owned by Fair Grove Fire Department.

After Mayor Andrews opened this time, Manager Bailie asked Attorney Pugh to walk through the process of considering Special Use Permits that are quasi-judicial proceedings.

Attorney Pugh defined a Special Use Permit is something that is required for a property owner to develop in an area that is zoned for that Use. A Special Use Permit is issued for something that is allowed in a Zoning regardless of its class such as residential, commercial, industrial, etc., whose use is allowed in your Table of Uses in your Zoning Ordinance but because of its special nature it requires the Council's input and additional protection for the neighbors. They are required under North Carolina Law to meet 4 tests.

1. The Special Use will not endanger public safety or is a public necessity.
2. That they meet all the requirements that are already in your Zoning or Subdivision Ordinances.
3. That this Use will not substantially diminish the value of adjoining owner's property.
4. That the Use or development will be in harmony with the area.

The applicant is required to come before Council and give you evidence that establishes some basis for meeting these 4 tests. Attorney Pugh discussed the 4th test and how the Courts look at this as a legislative finding already done that this Use is in harmony. Even though this is in all Ordinances, if that Special Use is in your Table of Permitted Uses it is already established.

Manager Bailie and Attorney Pugh discussed the procedure for determining evidence and whether the Mayor had the right to determine what was or was not evidence. Attorney Pugh discussed the definition of quasi-judicial as termed by the Supreme Court. Their findings were that an applicant for a Special Use permit is entitled to have the request honored if the applicant presents to you creditable evidence that meets the 4 tests discussed earlier. Creditable evidence has to be tested as follows:

1. The applicant expects the Mayor and Council not to have discussed the request prior to meeting. You must advise those who wish to talk to you about a Special Use that you can not hear or discuss this issue prior to the meeting. Attorney Pugh defined the difference between the Special Use Permit and Zoning Request. The Zoning Request is a legislative act and you are allowed to talk to persons, however, you are not allowed to discuss anything about the Special Use Permit until the hearing.
2. The evidence that is presented at Special Use hearing is Sworn testimony within the personal knowledge of the person presenting it. The main thing is to conduct your hearing in a way that will allow you to hear evidence to meet the 4 tests. The opponents have the right to do the same thing as the persons speaking for the request. Council then weighs the evidence for or against and does the evidence meet the 4 tests. You must give rebuttal as you would in court.

The parties would be sworn in, Council would hear the evidence for the 1st time, parties put on their evidence, you will hear both in favor and against the request, you will give a chance for the parties to respond to each other and then make your decision based on the 4 tests. If someone presents evidence to you that meets the 4 tests and there is no other evidence before you then Council must grant the permit. You may decide after someone has put on evidence that it is not sufficient evidence to meet the 4 tests without hearing anything else from opponents. Council is then within their rights to turn down the Special Use Permit because not enough evidence has been presented to you to get to the decision level. That is the obligation of the applicant and their burden of proof. The applicant needs to be told in advance at the beginning of the meeting that Council wants to hear about public health and safety, if the regulations have been met, if this request will not substantially diminish adjoining property values, and then finally you can ask them to talk to you about harmony with the neighborhood. If this use is already zoned in this area that question has already been found.

There was further discussion between Manager Bailie and Attorney Pugh concerning the right to rebuttal. Manager Bailie advised Attorney Pugh this was not currently included in the Rules of Procedure and was this something that Council should always allow? Attorney Pugh stated he did not feel there should be a rule and the way he would proceed would be to allow the applicant to present their evidence, and then listen to what the other side says. If the other side is making serious claims in opposition, your sense of fairness should be to ask if Council is getting all the information that they need to fairly treat the applicant and the opponents. If Council needs more information then allow rebuttal. Mayor and Council may or may not allow rebuttal. In the case that rebuttal is allowed allow response 1 rebuttal and 1 response. The Mayor needs to describe the procedures in the beginning and encourage everyone to stick to the facts at hand.

Motion to add Item 6 to the April 18, 2006 Regular City Council Meeting by Council member Bridges, seconded by Council member Labonte , and approved unanimously by all Council members present.

6A. Special Intensity Allocation Request (no public hearing)

Mayor Andrews called for discussion and or motion to add this item to the April 18, 2006 Regular Meeting Agenda

Prior to motion, Mr. Stumb advised Council that both Item 6A as well Item 7-A were being requested by the two (2) fire departments for their respective properties. They want to exceed their 24% built upon area for their stations. For Item 6-A the applicant is requesting 15,000 square feet or approximately 35%. This is approximately 5% more than shown on their site plans that will give them a small amount to work with if needed.

Motion to add the above item to the April 18, 2006 Regular City Council Meeting by Council member Brown seconded by Council member Talbert , and approved unanimously by all Council members present.

7. Special Use Request #SPU06-02, for a fire station at Welborn Rd further identified as Randolph County tax parcel 7707100761. The property is owned by Randolph County.

Prior to motion, there was discussion between Council member Reddick and Mr. Stumb concerning the owner of the property for this request. Mr. Stumb advised Council that the transfer was in the completion process. Attorney Pugh advised Council that this property had to be released from the Deed of Trust that secured the funding for the school. This has now been released and I saw the recorded document today and should be transferred within the next few days.

Motion to add the above item to the April 18, 2006 Regular City Council Meeting by Council member Bridges seconded by Council member Brown , and approved unanimously by all Council members present.

7A. Special Intensity Allocation request (no public hearing)

Mayor Andrews called for discussion and or motion to add this item to the April 18, 2006 Regular Meeting Agenda Prior to motion, Mr. Stumb advised Council that both Item 6A as well Item 7-A were being requested by the two (2) different fire departments for their respective properties. They want to exceed their 24% built upon area for their stations. For Item 7-A the request is for approximately 50,000 square feet or approximately 58%. This is approximately 5% more than shown on their site plans that will give them a small amount to work with if needed.

Motion to add the above items to the April 18, 2006 Regular City Council Meeting by Council member Reddick, seconded by Council member Talbert, and approved unanimously by all Council members present..

8. Amendments to the Zoning, Watershed and Subdivision Ordinance to increase the density of the Residential Mixed Zoning District, to allow the high density option for development in the watershed, to increase the required open space in the Residential Mixed zoning district and to require sidewalks in new subdivisions zoned R-12 and Residential Mixed and in commercial development zoned HC (Highway Commercial) and CS (Community Shopping).

Mayor Andrews opened this item and asked that Mr. Stumb for comments to Council on this item.

Mr. Stumb advised Council that some of the Text Amendments were requested by a developer somewhat in conjunction with his request for rezoning. He discussed with Council the need to look at these Amendments and decide if this type of Zoning District would be an appropriate Zoning District inside the City. If these amendments are approved and a developer applies for RM Zoning in the future these standards would apply. Attorney Pugh advised Council this would be a Text Amendment for all RM Zoning within the City.

Council members and Mr. Stumb discussed how the developer would acquire RM Zoning. Mr. Stumb advised Council members that the developer would have to make a zoning request to the RM Zoning.

Manager Bailie reviewed the Planning/Zoning recommendations for the proposed RM Zoning District with Council as follows:

1. Change from 2 units per acre to 3 units per acre.
2. Consistent with 3 units per acre, The Planning/Zoning Board recommended sidewalks be required in the R-12 Zoning Districts several months ago. This recommendation would be transferred to the RM Zoning District if approved. This Zoning District would be consistent with R-12 and will allow Multi-Family.

There was discussion between Council members concerning whether or not Trinity should alter their sidewalk stipulations to match that of adjoining cities, the increase of impervious surface that would occur with sidewalks, as well as additional costs to developers.

There was further discussion concerning Council's desire for sidewalks, where they should be required, and whether to require installation on one (1) side or both sides, cul-de-sacs, or thoroughfares. Members discussed the recommendation from the Planning/Zoning Board to require sidewalks on both sides of the streets for developments that exceeds 3 units per acre which would include R-12, RM, and Commercial Development. This is for a heavily populated area and would not include R-40.

There was further discussion concerning Archdale's policy and if this could be applied in Trinity. Council member Talbert discussed his desire to see the design approval of the development prior to being developed and the fact that he liked the narrower streets that slowed the traffic down. He discussed how this was done in Davidson. Manager Bailie stated that this could be done but the City must first set design standards. I do not think that we are at a point

where we can feasibly do this. It will take time to establish standards and procedures. What we are running into at this point are the developers that have made the requests. Do we put the developers on hold until we get everything lined up?

Mr. McNeill, Engineer, advised Council that the developer did not prepare plans until they knew what all the rules were that would apply to their development requests.

Council members discussed earlier conversations and prior interests of the developers to install sidewalks. Manager Bailie advised Council the developers at Colonial Village had been willing to put in sidewalks.

Discussion continued concerning the recommendation of the Planning/Zoning Board. Manager Bailie stated it was their recommendation to install sidewalks on both sides. She also advised members that she had discussed sidewalks with the City Manager for the City of Asheboro and that city, as well as the City of High Point, require sidewalks on both sides.

There was discussion between Council members concerning how sidewalks served to help dress up the neighborhoods as well as how other municipalities were now changing and requiring sidewalks in the neighborhoods. Also discussed was how this might affect the development in the City of Trinity and how some members felt this would not deter development in Trinity and that Trinity should learn from others mistakes and do it right the first time.

There was discussion concerning responsibility for maintenance of the sidewalks. Manager Bailie advised Council that the City would be the responsible party for maintenance; however, Powell Bill monies can be used for this. Council member Lambeth discussed damages made by a developer. If they damage the sidewalks then they must pay to repair the damages.

Council member Bridges asked if the changes to the Watershed would allow up to 50% in the RM Zoning District without a request. Mr. Stumb advised Council this would be an option and could be available for all Zoning districts. It is still an option and a request that a developer will have to make. By getting extra allocation they are putting more standards on top of what is already required such as a retention pond. Manager Bailie advised members this did not impact the 70% allocation for impervious surface because the developer is required to plan for intensive stormwater management.

After further discussion concerning runoff and stipulations that are state mandated, *Council member Lambeth made a motion to add this item to the April 18, 2006 Regular City Council Meeting, seconded by Council member Labonte, and approved unanimously by all Council members present.*

- 9. Rezoning request #Z06-01CZ, to rezone property located at Collett Farm Rd., further identified as Randolph County tax parcel numbers 6797663725, 6797757381 and 6797653575. The request is to rezone the property from R-40 and RA (Residential) to RM-CZ (Residential Mixed – Conditional Zoning). The property is owned by Gary Loffin, Colonial Charter and RJM Development.**

Mayor Andrews opened this item and asked Mr. Stumb for comments.

Mr. Stumb advised Council the first Rezoning Request would be a request for Conditional Zoning and is for property located along NC Highway 62 and Collett Farm Road. The current zoning for this property is R-40 and Residential Agricultural (RA). The proposed zoning is Residential Mixed (RM) of single family homes, townhomes, and possibly condominiums as a part of this request. The property consist of + or – 150 acres. The following conditions have been requested by the developer:

- 1. Planned Unit Development which will include single family homes, townhomes, and condominiums. This will require a Special Use Permit at a later date once the design and layout is settled.**

- 2. Limited to townhomes and condominiums only.**

Mr. Stumb and Council discussed the possibility of adding apartments to the request. Mr. Stumb advised Council the developer would have to come back and add apartments as a condition. There was also discussion concerning the built upon area allowed in this development. Mr. Stumb advised Council up to 50% was allowed, however there were creeks on the property that would require a lot of buffering. Mr. Stumb advised Council he did not believe the built upon area would exceed 30% for Multi- Family and 40% for Single Family.

Mr. Stumb discussed with Council the procedure that would used. The Zoning for the property will be considered for approval. If approved the developer will complete the design and engineering portion of the plan and come back to

the board for the Special Use Permit. The Special Use Permit and the Subdivision Process will be done in conjunction with each other.

There was further discussion between Council, Manager Bailie, Mr. Stumb, and Attorney Pugh concerning the procedures used for this request during a Special Use Request as well as the procedure used for a regular Rezoning Request.

Manager Bailie discussed the importance to decide standards in order to have them incorporated into the Zoning Development Ordinances. This will give the staff and Planning Board standards to review when considering a request.

There was further discussion concerning the request and when the 4 test apply. The 4 test will not apply for the Rezoning but will apply during the Special Use Permit process. Council members discussed the condition set forth by the developer concerning the limitation of townhomes and condominiums and excluding apartments in the Multi-Family portion of the development.

There was a brief discussion between Council members and Attorney Pugh concerning how Council could respond to telephone calls concerning a Rezoning Request. Council is allowed to take telephone calls for the Rezoning Request. If as a result of rezoning this becomes Special Use Project is Council allowed to discuss this? Attorney Pugh advised Council that once the rezoning is complete (legislative decision) and comes back as a Special Use Council can't discuss the request as discussed earlier and should hear the facts for the first time at the Special Use Hearing.

Motion to add the above items to the April 18, 2006 Regular City Council Meeting by Council member Meredith, seconded by Council member Labonte , and approved unanimously by all Council members present..

- 10. Rezoning request #Z06-02CZ, to rezone property located at NC Hwy 62 and Unity St., further identified as Randolph County tax parcel number 6797222736. The request is to rezone the property from R-40 (Residential) to HC (Highway Commercial – Conditional Zoning). The property is owned by Walter Ashe.**

Mayor Andrews called for Mr. Stumb to brief Council on this item.

Mr. Stumb advised Council this request is to rezone the current property from R-40 to Highway Commercial Conditional Zoning. Follow are the 3 conditions proposed:

1. Require a 20 foot buffer along the western and northern parts of the property predominantly where residential property abuts this property.
2. Prohibit driveway along Arden Road.
3. Stub out the property that adjoins commercial lots.

This property contains approximately 42,000 square feet

Motion to add the above items to the April 18, 2006 Regular City Council Meeting by Council member Bridges, seconded by Council member Brown, and approved unanimously by all Council members present..

- 11. Rezoning request #Z06-03, to rezone property located at Braxton Craven Rd., further identified as Randolph County tax parcel number 7708710649. The request is to rezone the property from R-40 (Residential) to HC (Highway Commercial). The property is owned by Walter Ashe.**

Mayor Andrews called for Mr. Stumb to brief Council on this item.

Mr. Stumb advised Council this request was for rezoning along Braxton Craven Road from R-40 to Highway Commercial. The applicant making this request is the same as listed for Item 10.

Motion to add the above items to the April 18, 2006 Regular City Council Meeting by Council member Bridges, seconded by Council member Talbert, and approved unanimously by all Council members present..

Unfinished Business

None

New Business

12. Funding Request – Randolph County Economic Development Corporation

Mayor Andrews opened this item for discussion and or motion to add this item to the April 18, 2006 Regular Meeting Agenda

Manager Bailie advised Council this was the request was received from Bonnie Renfro in the form of a letter. She has given her annual report to the Council at an earlier meeting of Council. There request is for \$2,500.00. This is the same amount as requested last year by this organization.

Motion to add the above items to the April 18, 2006 Regular City Council Meeting by Council member Bridges, seconded by Council member Brown, and approved unanimously by all Council members present..

13. Award Construction Contract for Darr. Rd. Sewer Project

Mayor Andrews called for discussion and or motion to add this item to the April 18, 2006 Regular Meeting Agenda.

Mr. McNeill advised Council that the bid opening was scheduled for Thursday, 2:00 pm. We will have a recommendation for Council at your April 18, 2006 Council Meeting.

There was discussion between Council members, Manager Bailie, and Mr. McNeill concerning the factors that would cause an increase in the total costs of the project and how this would increase the total local match and costs.

Motion to add the above items to the April 18, 2006 Regular City Council Meeting by Council member Talbert, seconded by Council member Brown , and approved unanimously by all Council members present..

14. Deadline to Pay Discount Tap Fees - Phase 2 Sewer Project

Mayor Andrews called for discussion and or motion to add this item to the April 18, 2006 Regular Meeting Agenda.

Manager Bailie advised Council that staff was recommending Council set guidelines as follows for this project.

Owners of Undeveloped Property	June 01, 2006	Discounted Tap Fees: \$750.00
Owners of Developed Property	June 01, 2007	Discounted Tap Fees: \$750.00

Motion to add the above items to the April 18, 2006 Regular City Council Meeting by Council member Bridges, seconded by Council member Labonte, and approved unanimously by all Council members present..

15. Council Compensation – Compliance With State and Federal Regulations.

Mayor Andrews called for discussion and or motion to add this item to the April 18, 2006 Regular Meeting Agenda

Ms. Hinson discussed with Council members the requirements that stipend now be counted by use of a W-2 and not a 1099 form. She reviewed and discussed the information contained in Council's packet.

After review and discussion, ***Motion by Council member Bridges to use \$200.00 as the gross wages for Council, \$275.00 as gross for the Mayor, seconded by Council member Labonte and approved unanimously by all Council members present.***

****** This item will not be included on the Regular Meeting Agenda since action was taken as noted above. ******

16. Resolution Designating Official Depositories

Mayor Andrews called for discussion and or motion to add this item to the April 18, 2006 Regular Meeting Agenda

Ms. Hinson advised Council this was the same Resolution that was approved in the prior year that allowed her to invest using FINISTAR Investments. After brief discussion a ***motion to approve Resolution Designating Official Depositories was made by Council member Bridges, seconded by Council member Reddick, and approved unanimously by all Council members present.***

****** This item will not be included on the Regular Meeting Agenda since action was taken as noted above. ******

16 A. BIDS FOR AUDIT SERVICES

Mayor Andrews opened this item for discussion and or motion.

Manager Bailie and Council discussed the increase price for the Annual Audit as proposed by the current audit firm in the amount of \$4,000.00. Manager Bailie asked Ms. Hinson to discuss with Council the findings and staffs recommendation for award of the Annual Audit based on the 3 responses received to perform this service.

Ms. Hinson discussed with Council members the responses received for Audit Services and the prices quoted as well as the services that would be performed. After review of the packets placed at Council's seats, Ms. Hinson advised Council that it was staff's recommendation that the City of Trinity contract with Gibson and Company for a 3 year period. This will result in an average savings of \$6,500.00 per year totaling approximately 20,000.00 over the 3 year period.

After a brief discussion a ***motion to award the 3 Year Contract to Gibson and Company was made by Council member Bridges, seconded by Council member Talbert and approved unanimously by all Council members present.***

***** This item will not be included on the Regular Meeting Agenda since action was taken as noted above. *****

17. CLOSED SESSION Pursuant to NCGS 143-318.11 (a) (3) to consult with attorney regarding City of Trinity v. Gallimore (code violations)

Mayor Andrews called for discussion and or motion to add this item to the April 18, 2006 Regular Meeting Agenda

Motion to go into Closed Session pursuant to NCGS 143-318.11 (a) (3) to consult with attorney regarding City of Trinity v. Gallimore by Council member Lambeth, seconded by Council member Labonte and approved unanimously by all Council members present.

Mayor Andrews called for a motion to return to Open Session.

Motion to return to Open Session by Council member Lambeth, seconded by Council member Talbert, and approved unanimously by all Council members present.

No action was taken in Closed Session.

Additional Pre-Agenda Meeting Business

ITEM VII. Rules of Procedure (consider Rules 1-4)

Manager Bailie, Mayor Andrews, and Council discussed the importance to pursue this action. However, due to the length of this agenda and the time needed to discuss this, Manager Bailie recommended that discussion on this be postponed until a later date when the Agenda was not as lengthy.

ITEM VIII. Business from Mayor And Council

The following items were discussed by Council:

Facility Rental

Council member Brown discussed the cost that were involved to operate a meeting facility. He discussed with Council the possibility of agreeing to a monthly amount that could be paid to the church for rental of the facility that the City currently used. After discussion, it was the consensus of Council that Manager Bailie include \$150.00/Monthly in the Budget effective July 01, 2006 through June 30, 2007.

Field Trip

Council member Talbert discussed his feelings regarding the Field Trip that he participated in along with members of the Land Development Committee. He discussed his feelings on new urbanism as well as his definition of new urbanism. He discussed his feelings on this type of development such as row housing and the part that this could contribute to the creation of slum areas. It was Council member Talbert's feelings that this type of development would not fit in Trinity and suggested caution when considering these types of development.

There was discussion between Council members concerning areas where higher income residents resided and how if developed correctly this type of development could be an asset. There was further discussion concerning income differences between the areas visited and Trinity; as well as the opportunity that the trip allowed city officials to explore and see the different options of development available and how they worked in communities. Council discussed the Rural Preserve Areas offered in the Davidson Community that the group visited. This offered to those people who did not want to sell their property and keep it in the family the opportunity to do this. The stipulation is that residents that wish to do this can not subdivide their property as long as it remains in this area. They are also offered a lower tax rate. This is something that Trinity may want to explore especially because of the strict watersheds. There may be residents in our city that would like to do this and this is something that would be beneficial to our community as well if we were to consider offering some type of Rural Preserve Areas.

Manager Bailie advised members that a draft plan of the Land Use Development is being prepared and will be reviewed by the Land Development Committee this week. It will be presented to the City Council and Planning /Zoning Board at a Joint Meeting on May 11, 2006 for your review and discussion.

Overlay District

Council member Labonte discussed his feelings at the beginning concerning the creation of an Overlay District. He stated he was against this proposal in the beginning and was still against some of the items included in the Proposed Overlay District. He stated that the Proposed Overlay District presented earlier to Council had some good points but also had some things that he felt needed to be refined. He discussed his feelings on taking another look at this because there are some areas in the City that we want to protect.

There was discussion between Manager Bailie and Council on their desires to bring up discussion on this plan. There was considerable discussion between Council members concerning problems that needed to be addressed with both the Land Use Plan and the Overlay District and how Council should proceed. After further discussion concerning Council's role in the Land Use Development Plan and the need to address the limitation of some types of development in certain areas of the city as defined in the Overlay District Plan, situations concerning the types of development allowed in some areas and the need to protect these areas, it was the consensus of Council to take a copy of the Proposed Overlay Document with them, read it, write in proposed changes, and have a Special Meeting to discuss changes and try to develop a document that would be agreeable to all Council members.

Comments from Mayor Andrews

Mayor Andrews discussed the lack of a City Ordinance concerning abandoned structures. She advised Council that she had discussed her concerns with Manager Bailie and that she had advised me that she would investigate possibilities concerning this item. Council member Meredith discussed earlier conversations concerning this item that took place. At that time Randolph County did not have a Condemnation Ordinance and responded to the City that they could not enforce something that they themselves did not have.

ITEM IX. BUSINESS FROM CITY MANAGER

Upcoming Joint Meeting

Planning/Zoning and City Council Joint Meeting on Thursday, May 11, 2006 to review the Land Use Plan.

Annexation Update

Manager Bailie advised Council that she believed that the school and land owner were still negotiating the price of the proposed property.

Manager Bailie discussed earlier conversations concerning the possible annexation of property outside the city. She advised Council the developers were still very interested in becoming a part of the City of Trinity and that she was in the process of preparing an annexation form.

Manager Bailie and Council discussed the possibility of imposing an annexation fee and who should petition for the annexation. There was discussion between Council members concerning how they would like to proceed or if they wished to consider annexation. Council and Manager Bailie discussed the possible development of some type of annexation policy that addressed how a developer may recoup some of the expenses incurred by installation of the sewer when others tapped into the line and how to apply the policy to undeveloped property. Also discussed was Council's desire to contribute any monies that might be saved by the deletion of 2 pump stations to the larger pump station that would be required of the developer.

Manager Bailie advised Council that if they allow the sewer expansion to be done at the expense of the developer it will open up the availability of sewer to other areas in the city limits as well as the need for new sewer customers and how new customers would provide revenues to pay sewer debt. As discussed earlier by Mr. McNeill the costs of the sewer projects approved by Council has gone up approximately 30% to 35%. The City will need to figure out how to provide the sewer service to all those that we have promised to provide sewer for as well as make our debt payment to Thomasville for our portion of the upgrade on the Wastewater Treatment Plant.

There was further discussion concerning growth and how it affected the area schools. Mayor Andrews discussed the development taking place in Archdale and how the children from this city attended the same schools as children from Trinity. Archdale is not slowing down in development and are increasing their tax revenues as well as sewer revenues.

Internship

Manager Bailie advised Council that Diana Schreiber needed to complete an Internship with a local government as a requirement to earn her Masters Degree. Her current position with the City does not meet the criteria for that internship. Manager Bailie advised Council that she had put together an internship for Stormwater to be completed by Diana. We need this to get the city in shape to meet the Stormwater requirements. She will be working her internship 3 days a week and her regular position for 2 days per week.

Additional Staff

Manager Bailie discussed with Council the additional part time position that she had budgeted for the past 2 years and had not filled. Manager Bailie advised Council that she would be filling this position. Diana will be doing her internship and get the City back on track with our Stormwater Program, thus limiting her time for regular duties. The other reason is that staff has become maxed out thus creating a need for this person.

City Hall Renovations

Manager Bailie advised Council that she had made contact with an associate of Larry Darr's to obtain some pricing to enclose the back porch for files, and for the copying machine. This will open up the current office area where Debbie sits to allow 1 more person in this area. We are also asking for a quote to install doors here to the meeting room.

Lots of Record

As sewer is installed, owners of very small lots (25 foot lots that have been platted) are being sold. Most of the lots will be in R-40 zoning districts. Our current Zoning Ordinance does not allow us to force a recombination of 2 lots when the lots are sold if they are in two (2) different names that will make them meet the R-40 requirements. However, if they are in the same names our Ordinance will allow the city to force the recombination of the lots to meet the requirements of the underlying Zoning District. Mr. Stumb has suggested to create some kind of neighborhood overlay that requires new development be of the same type as the existing development. We do not have any details at this point.

There was discussion between Council concerning the size of lots and how this applied to some lots in the City. After a brief discussion, Manager Bailie advised Council that she would get with Attorney Wilhoit for suggestions.

Budget Meeting

Manager Bailie advised Council there would be a Budget Meeting next week to discuss the Preliminary Budget with Council members Reddick, Bridges, and Talbert.

ITEM X. Adjournment

With no other business to discuss, Mayor Andrews called for a motion to adjourn the April 11, 2006 Pre- Agenda Meeting.

Motion to adjourn the April 11, 2006 Pre-Agenda meeting by Council member Reddick, seconded by Council member Meredith and approved unanimously by all Council members present.

These minutes were approved as written by the Trinity City Council at their Regularly Scheduled Meeting on May 16, 2006 upon motion by Council member Lambeth, seconded by Council member Bridges and approved unanimously by all Council members present.